13281 U.S.PTO
111803

22388 U.S. PTO
10/715118
111803

PATENT
ATTORNEY DOCKET NO.: 046124-5179

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
MAIL STOP PATENT APPLICATION

TRANSMITTAL FOR A NEWLY EXECUTED ORIGINAL APPLICATION UNDER 37 C.F.R. §1.53(b)

This is a request for filing a patent application under 37 C.F.R. §1.53(b) for:

Inventors: Katsumi SHIBAYAMA and Masayuki ISHIDA and Takafumi YOKINO

For: BACK ILLUMINATED PHOTODIODE ARRAY, MANUFACTURING METHOD AND SEMICONDUCTOR DEVICE THEREOF

1. This is a new ☒ **Utility** ☐ **Design** ☐ **Plant** patent application.

2. The papers enclosed to obtain a filing date are as follows:

78 Pages of Specification including:
- 0 Title Page
- 71 Pages of Description
- 6 Pages of Claims
- 1 Page of Abstract

42 Sheets of drawings containing 42 Figures

☐ The enclosed drawings are photographs, and there is also attached a PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)

3. Combined Declaration and Power of Attorney

☐ Enclosed and is executed by all inventors
☒ Not Enclosed.
This application is being filed under the provisions of 37 C.F.R. §1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

4. Language

☒ English
☐ Non-English
This application is being filed in accordance with 37 C.F.R. §1.52(d) and §608.01 of the MPEP. Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the verified English translation and the processing fee.

5. Assignment

☐ An assignment of the invention to _____ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.
☒ An assignment will be filed at a later date.

6. Priority - foreign applications under 35 U.S.C. §119(a)-(d) or §365(b) or PCT international applications under 35 U.S.C. §365(a) designating at least one country other than the U.S.

☒ Priority of the following foreign application is claimed:

Country	Application No.	Filed
Japan	P2002-334326	November 18, 2002

Certified copy: ☐ is attached. ☒ will follow.

7. Priority based on provisional application(s) - 35 U.S.C. §119(e)

☒ Priority of the following provisional application(s) is claimed:

Application No.	Filed
60/430,670	December 4, 2002

A. Relate Back - 35 U.S.C. §119(e)

☐ Attached is a Preliminary Amendment amending the specification by inserting before the first line the sentence: "This application claims priority of copending provisional application(s) No. _____ filed on _____."

8. Small entity status

☐ Applicant(s) hereby assert(s) small entity status under 37 C.F.R. § 1.27.

9. Fee Calculation (37 C.F.R. §1.16)

	Number Filed	Number Extra	at Rate of	Basic Fee Utility $770.00 Design $385.00
			BASIC FEE	$770.00
Total Claims (37 C.F.R. §1.16(c))	25 - 20 =	5	18.00	$90.00
Independent Claims (37 C.F.R. §1.16(b))	1 - 3 =	0	86.00	
Multiple dependent claim(s), if any (37 C.F.R. §1.16(d))			290.00	
			SUB-TOTAL =	**$860.00**
			Reduction by 1/2 for filing by a small entity	
			SUB-TOTAL =	**$860.00**
Assignment Recordation Fee			$40.00	
			TOTAL FILING FEE =	**$$860.00**

10. Fee Payment

☒ Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**
This application is being filed under the provisions of 37 C.F.R. §1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

☐ Please charge Deposit Account No. 50-0310 in the amount of $ representing the basic filing fee of $770.00 and an assignment recording fee of $40.00 is enclosed

11. ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

12. Additional papers enclosed:

- ☐ Preliminary Amendment
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, _____ document included
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Please accord this application an application number and filing date.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

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Dated: November 18, 2003
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